

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

JIMMIE LEWIS, )  
Plaintiff, )  
v. ) C.A. No. 04-1350-GMS  
DR. SYLVIA FOSTER, et al., )  
Defendants. )

STATEMENT OF COUNSEL PURSUANT TO LOCAL RULE 7.1.1

COMES NOW, Deputy Attorney General Gregory E. Smith, Counsel for Defendants Johnson, Sagers, Gray , and Moffett, and pursuant to D. Del. LR 7.1.1 does hereby make the following statement:

1. The undersigned has not corresponded or attempted to contact Plaintiff as he is incarcerated, but anticipates that the instant Motion is opposed.
2. The undersigned has spoken with counsel for Defendant Dr. Foster, and counsel for Dr. Foster does not oppose the instant motion.

STATE OF DELAWARE  
DEPARTMENT OF JUSTICE

/s/ \_\_\_\_\_  
Gregory E. Smith, I.D. No. 3869  
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(302) 577-8398

Dated: April 23, 2007